

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARTIN LEWIS and AARON COOPER, on  
behalf of themselves and a class of  
those similarly situated,

Plaintiffs,

v.

WELLS FARGO & CO.,

Defendant.

No. C 08-2670 CW

ORDER PROVIDING  
NOTICE OF AND  
OPPORTUNITY TO BE  
HEARD ON TENTATIVE  
DECISION TO APPOINT  
SPECIAL MASTER

The Court finds that the amount of judicial resources expended adjudicating discovery disputes in this case constitutes exceptional circumstances that warrant the appointment of a special master to oversee discovery. The Court intends to order that the cost of the special master's compensation shall be allocated at the special master's discretion, including allocation of the cost of the special master's compensation to the non-prevailing party upon the resolution of a dispute. Pursuant to Federal Rule of Civil Procedure 53(b)(1), the Court provides notice to the parties and an opportunity to be heard on the appointment of a special master to oversee discovery. The parties may file responses to this notice, including suggestions of candidates for appointment, no later than

1 March 17, 2009

2 IT IS SO ORDERED.

3 Dated: March 10, 2009  
4



CLAUDIA WILKEN  
United States District Judge